

**“§ 1660. Protective orders and sealing of cases and settlements relating to public health or safety**

“(a) FINDINGS OF FACT REGARDING PUBLIC HEALTH AND SAFETY.—No order entered in accordance with the provisions of rule 26(c) of the Federal Rules of Civil Procedure shall continue in effect after the entry of final judgment in that case, unless at or after such entry the court makes a separate finding of fact that such order would not prevent the disclosure of information which would adversely affect public health or safety.

“(b) RESTRICTION ON AGREEMENTS AMONG PARTIES.—(1) No agreement between or among parties in a civil action filed in a court of the United States may prohibit or otherwise restrict a party from disclosing any information relevant to such civil action to any Federal or State agency with authority to enforce laws regulating an activity relating to such information, unless the court makes a separate finding of fact that such agreement would not adversely affect public health or safety.

“(2) Any disclosure of information described in paragraph (1) to a Federal or State agency shall be confidential to the extent provided by law.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 111 of title 28, United States Code, is amended by adding at the end the following:

“1660. Protective orders and sealing of cases and settlements relating to public health or safety.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 30 days after the date of the enactment of this Act and shall apply only to orders entered in civil actions or agreements entered into on or after such date.

It was decided in the { Yeas ..... 177  
negative ..... { Nays ..... 242

**§33.9 [Roll No. 104]  
AYES—177**

Abercrombie	Engel	Leach
Ackerman	Eshoo	Lee
Allen	Etheridge	Levin
Andrews	Evans	Lewis (GA)
Baesler	Farr	Lipinski
Baldacci	Fattah	Lowey
Barcia	Fazio	Luther
Barrett (WI)	Filner	Maloney (CT)
Becerra	Ford	Manton
Bentsen	Fox	Markey
Bereuter	Frank (MA)	Martinez
Berman	Frost	Mascara
Berry	Furse	McCarthy (MO)
Bishop	Gejdenson	McCarthy (NY)
Blagojevich	Gephardt	McDermott
Blumenauer	Green	McGovern
Bonior	Hall (OH)	McHale
Borski	Harman	McIntyre
Boswell	Hefner	McKinney
Boucher	Hilliard	McNulty
Brown (CA)	Hinchey	Meehan
Brown (FL)	Hinojosa	Meek (FL)
Brown (OH)	Holden	Meeks (NY)
Campbell	Hooley	Menendez
Capps	Horn	Millender
Cardin	Hoyer	McDonald
Carson	Jackson (IL)	Miller (CA)
Clayton	Jackson-Lee	Minge
Clement	(TX)	Mink
Clyburn	Jefferson	Moakley
Conyers	Johnson (WI)	Mollohan
Costello	Johnson, E. B.	Moran (VA)
Coyne	Kaptur	Morella
Cummings	Kennedy (MA)	Nadler
Davis (FL)	Kennedy (RI)	Neal
Davis (IL)	Kennelly	Oberstar
DeFazio	Kildee	Obey
DeGette	Kilpatrick	Olver
Delahunt	Kind (WI)	Ortiz
DeLauro	Klecza	Owens
Deutsch	Klink	Pallone
Dingell	Kucinich	Pascrell
Doggett	LaFalce	Pastor
Edwards	Lampson	Payne
Emerson	Lantos	Pelosi

Poshard	Scott
Price (NC)	Serrano
Rahall	Shays
Rangel	Sherman
Reyes	Slaughter
Rivers	Smith, Adam
Rodriguez	Spratt
Rohrabacher	Stabenow
Roybal-Allard	Stark
Rush	Stokes
Sabo	Strickland
Sanchez	Stupak
Sanders	Tauscher
Sawyer	Thompson
Schumer	Thurman

**NOES—242**

Aderholt	Goode	Petri
Archer	Goodlatte	Pickering
Armey	Goodling	Pickett
Bachus	Gordon	Pitts
Baker	Goss	Pombo
Ballenger	Graham	Pomeroy
Barr	Granger	Porter
Barrett (NE)	Greenwood	Portman
Bartlett	Gutknecht	Pryce (OH)
Barton	Hamilton	Quinn
Bass	Hansen	Radanovich
Bilbray	Hastert	Ramstad
Bilirakis	Hastings (WA)	Redmond
Bliley	Hayworth	Regula
Blunt	Hefley	Riggs
Boehlert	Herger	Riley
Boehner	Hill	Roemer
Bonilla	Hilleary	Rogan
Bono	Hobson	Rogers
Boyd	Hoekstra	Ros-Lehtinen
Brady	Hostettler	Rothman
Bryant	Houghton	Roukema
Bunning	Hulshof	Royce
Burr	Hunter	Ryun
Burton	Hutchinson	Salmon
Buyer	Hyde	Sandlin
Callahan	Inglis	Sanford
Calvert	Jenkins	Saxton
Camp	John	Scarborough
Canady	Johnson (CT)	Schaefer, Dan
Cannon	Johnson, Sam	Schaffer, Bob
Castle	Jones	Sensenbrenner
Chabot	Kanjorski	Sessions
Chambliss	Kasich	Shadegg
Chenoweth	Kelly	Shaw
Christensen	Kim	Shimkus
Coble	King (NY)	Shuster
Coburn	Kingston	Sisisky
Collins	Klug	Skaggs
Combest	Knollenberg	Skeen
Condit	Kolbe	Skelton
Cooksey	LaHood	Smith (MI)
Cox	Largent	Smith (NJ)
Cramer	Latham	Smith (OR)
Crane	LaTourette	Smith (TX)
Crapo	Lazio	Smith, Linda
Cubin	Lewis (CA)	Snowbarger
Cunningham	Lewis (KY)	Snyder
Danner	Linder	Solomon
Davis (VA)	Livingston	Souder
Deal	LoBiondo	Spence
DeLay	Lofgren	Stearns
Diaz-Balart	Lucas	Stenholm
Dickey	Maloney (NY)	Stump
Dicks	Manzullo	Sununu
Dooley	Matsui	Talent
Doolittle	McCollum	Tauzin
Doyle	McDade	Taylor (MS)
Dreier	McHugh	Taylor (NC)
Duncan	McInnis	Thomas
Dunn	McIntosh	Thornberry
Ehlers	McKeon	Thune
Ehrlich	Metcalf	Tiahrt
English	Mica	Trafficant
Ensign	Moran (KS)	Turner
Everett	Murtha	Upton
Ewing	Myrick	Walsh
Fawell	Nethercutt	Wamp
Foley	Neumann	Watkins
Forbes	Ney	Watt (NC)
Fossella	Northup	Watts (OK)
Fowler	Norwood	Weldon (FL)
Franks (NJ)	Nussle	Weldon (PA)
Frelinghuysen	Oxley	Weller
Gallely	Packard	White
Ganske	Pappas	Whitfield
Gekas	Parker	Wicker
Gibbons	Paul	Wolf
Gilchrest	Pease	Young (AK)
Gillmor	Peterson (MN)	Young (FL)
Gilman	Peterson (PA)	

**NOT VOTING—13**

Bateman	Gutierrez	Miller (FL)
Clay	Hall (TX)	Paxon
Cook	Hastings (FL)	Tanner
Dixon	Istook	
Gonzalez	McCrery	

So the amendment was not agreed to.  
After some further time.

**§33.10 RECORDED VOTE**

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. DELAY:

Add the following at the end:

**SEC. 12 LIMITATION ON PRISONER RELEASE ORDERS.**

(a) IN GENERAL.—Chapter 99 of title 28, United States Code, is amended by adding at the end the following new section:

**§ 1632. Limitation on prisoner release orders**

“(a) LIMITATION.—Notwithstanding section 3626(a)(3) of title 18 or any other provision of law, in a civil action with respect to prison conditions, no court of the United States or other court listed in section 610 shall have jurisdiction to enter or carry out any prisoner release order that would result in the release from or nonadmission to a prison, on the basis of prison conditions, of any person subject to incarceration, detention, or admission to a facility because of a conviction of a felony under the laws of the relevant jurisdiction, or a violation of the terms or conditions of parole, probation, pretrial release, or a diversionary program, relating to the commission of a felony under the laws of the relevant jurisdiction.

“(b) DEFINITIONS.—As used in this section—

“(1) the terms ‘civil action with respect to prison conditions,’ ‘prisoner,’ ‘prisoner release order,’ and ‘prison’ have the meanings given those terms in section 3626(g) of title 18; and

“(2) the term ‘prison conditions’ means conditions of confinement or the effects of actions by government officials on the lives of persons confined in prison.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 99 of title 28, United States Code, is amended by adding at the end the following new item:

“1632. Limitation on prisoner release orders.”.

(c) CONSENT DECREES.—

(1) TERMINATION OF EXISTING CONSENT DECREES.—Any consent decree that was entered into before the date of the enactment of the Prison Litigation Reform Act of 1995, that is in effect on the day before the date of the enactment of this Act, and that provides for remedies relating to prison conditions shall cease to be effective on the date of the enactment of this Act.

(2) DEFINITIONS.—As used in this subsection—

(A) the term “consent decree” has the meaning given that term in section 3626(g) of title 18, United States Code; and

(B) the term “prison conditions” has the meaning given that term in section 1632(c) of title 28, United States Code, as added by subsection (a) of this section.

It was decided in the { Yeas ..... 367  
affirmative ..... { Nays ..... 52

**§33.11 [Roll No. 105]  
AYES—367**

Abercrombie	Bachus	Barrett (NE)
Ackerman	Baesler	Bartlett
Aderholt	Baker	Barton
Allen	Baldacci	Bass
Andrews	Ballenger	Becerra
Archer	Barcia	Bentsen
Armey	Barr	Bereuter